

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

JAMIE LYNN STROUD,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:24-CV-822-WKW
)	[WO]
JIMMY ABBOTT,)	
)	
Defendant.)	

ORDER

Before the court is Plaintiff Jamie Lynn Stroud’s notice to the court (Doc. # 23) and letter (motion) to appeal dismissal of his case (Doc. # 24), which together are construed as a motion to alter or amend the judgment pursuant to Rule 59(e) of the Federal Rules of Civil Procedure.¹

Plaintiff, proceeding *pro se*, filed this Complaint using a form for inmates to file 42 U.S.C. § 1983 actions. (Doc. # 1.) His Complaint and accompanying application to proceed *in forma pauperis* (Doc. # 2) were docketed on January 23, 2025. On June 26, 2025, the court ordered Plaintiff to file a more definite statement (“June 26 Order”). (Doc. # 14.) The June 26 Order set a deadline of July 17, 2025

¹ Rule 59(e) provides: “A motion to alter or amend a judgment must be filed no later than 28 days after entry of the judgment.” This Rule has been interpreted to permit a motion to vacate a judgment in addition to a motion to alter or amend it. 11 Wright et al., *Federal Practice and Procedure* § 2810.1 (2d ed.); *Foman v. Davis*, 371 U.S. 178, 181 (1962).

for Plaintiff to file a more definite statement in accordance with the Order's directives and expressly cautioned Plaintiff that his failure to comply with the Order would result in dismissal for failure to prosecute and comply with an Order of the court. (*Id.* at 8.) Because Plaintiff failed to file a more definite statement by the required deadline, the court dismissed this action without prejudice and entered final judgment on August 20, 2025. (Docs. # 20 & 21.)

On September 4, 2025, Plaintiff filed a notice to the court (Doc. # 23) and a letter (motion) to appeal the dismissal of his case (Doc. # 24). Together, Plaintiff's notice and motion are construed as a Rule 59(e) motion to alter or amend the judgment. As grounds for his motion, Plaintiff asserts that he is "not receiving his mail in a timely manner to respond to it." (Doc. # 24.) Additionally, Plaintiff contends that he did respond to the court's June 26 Order but that he believes his "mail is not being sent out on time just as [his] payment was not being sent out on time." (*Id.*) Finally, Plaintiff states his belief that both his mail and money are being delayed in order to have his case dismissed, and he feels he is not being treated fairly. (*Id.*)

Based on the foregoing, Defendant is ORDERED to file, **on or before September 29, 2025**, a response to Plaintiff's motion.

DONE this 8th day of September, 2025.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE